

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN JESSE LASLOVICH**, on January 10, 2007
at 8:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Jesse Laslovich, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Larry Jent (D)
Sen. Carol C. Juneau (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Gary L. Perry (R)

Members Excused:

Sen. Jim Shockley (R)
Sen. David E. Wanzonried (D)
Sen. Carol Williams (D)

Members Absent: None.

Staff Present: Carol Andersen, Committee Secretary
Valencia Lane, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 85, 1/8/2007; SB 104, 1/8/2007;
SB 156, 1/8/2007; SB 154, 1/8/2007
Executive Action: SB 73, SB 27

HEARING ON SB 85

Opening Statement by Sponsor:

00:00:12 **SEN. TRUDI SCHMIDT (D), SD 11**, opened the hearing on **SB 85**, Revise offense of child endangerment.

Proponents:

00:01:24 Pam Bucy, Department of Justice for Drug and Endangered Children's Program (DEC)

00:05:27 Craig Campbell, Missouri River Drug Task Force, retired police force

00:08:33 Dr. Todd Wampler

00:10:59 Jim Kembel, Montana Association of Chiefs of Police (MACOP)

EXHIBIT(jus06a01)

Opponents: None.

Informational Testimony:

00:11:38 Shirley Brown, Child & Family Services

Questions from Committee Members and Responses:

00:12:03 Sen. O'Neil to Dr. Wampler

00:14:09 Sen. Moss to Pam Bucy

00:15:26 Sen. Jent to Pam Bucy

00:19:24 Sen. Juneau to Pam Bucy

00:20:19 Sen. O'Neil to Pam Bucy

00:23:36 Sen. McGee to Jim Kembel

00:26:55 Sen. McGee to Pam Bucy

00:29:49 Sen. McGee to Jim Kembel

00:31:46 Sen. O'Neil to Pam Bucy

00:35:06 Sen. Laslovich to Pam Bucy

Closing by Sponsor:

00:37:07 Sen. Schmidt

00:38:05 Sandra Wells, Drug Center Lab, University of Montana (UM). Hearing was re-opened because witness just arrived from Missoula over very poor roads.

00:40:41 Closed Hearing

HEARING ON SB 104

Opening Statement by Sponsor:

00:41:08 **SEN. CAROLYN SQUIRES (D), SD 48**, opened the hearing on **SB 104**, Extend statute of limitations for certain sex crimes.

Proponents:

00:44:52 Ali Bovingdon, Attorney, Attorney General's Office

EXHIBIT(jus06a02)

00:49:30 Jim Kembel, Montana Association of Chiefs of Police (MACOP)

00:49:42 Jim Smith, Montana County Attorneys Association

00:50:37 Nicole Gray, Association for Prevention of Sexual Violence

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:51:35 Sen. Jent to Ali Bovingdon

00:54:02 Sen. McGee to Ali Bovingdon

00:56:49 Sen. Laslovich to Ali Bovingdon

Closing by Sponsor:

00:59:17 Sen. Squires

01:00:44 Break

01:11:30 Resume

HEARING ON SB 156

Opening Statement by Sponsor:

01:11:49 SEN. GARY PERRY (R), SD 35, opened the hearing on SB 156, Sex offender accountability act.

Proponents:

01:19:22 Ali Bovington, Attorney General's Office

[EXHIBIT\(jus06a03\)](#)

[EXHIBIT\(jus06a04\)](#)

[EXHIBIT\(jus06a05\)](#)

[EXHIBIT\(jus06a06\)](#)

01:33:20 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

[EXHIBIT\(jus06a07\)](#)

01:36:28 Sen. Rick Laible

01:37:01 Rachael Roberts, Montana Family Foundation

Opponents:

01:38:08 Scott Crichton, American Civil Liberties Union (ACLU)

Informational Testimony:

01:45:55 Ron Alsbury, Probation Bureau Chief, Department of Corrections

[EXHIBIT\(jus06a08\)](#)

[EXHIBIT\(jus06a09\)](#)

Questions from Committee Members and Responses:

01:48:21 Sen. O'Neil to Sen. Perry

01:50:17 Deferred to Ali Bovington
01:55:00 Sen. Juneau to Ali Bovington
02:02:42 Deferred to Ron Alsbury
02:03:19 Sen. McGee to Diana Koch, Department of Corrections
(DOC)
02:06:15 Deferred to April Grady, Budget Analyst, DOC
02:08:09 Sen. Jent to Ali Bovington
02:09:07 Sen. Laslovich to Ron Alsbury
02:13:12 Sen. Laslovich to Ali Bovington
02:20:06 Sen. McGee to Ron Alsbury
02:21:14 Sen. McGee to Ali Bovington
02:22:46 Ron Alsbury to Sen. McGee
02:23:21 Sen. Moss to Ali Bovington
02:24:41 Sen. Moss to Kelsen Young
02:26:32 Sen. Moss to Sen. Laslovich

Closing by Sponsor:

02:26:46 Sen. Perry

HEARING ON SB 154

Opening Statement by Sponsor:

02:35:25 SEN. RICK LAIBLE (R), SD 44, opened the hearing on SB
154, Revise law on sexual predators.

EXHIBIT(jus06a10)

Proponents:

02:42:28 Greg Trude, Right to Life of Montana

EXHIBIT(jus06a11)

02:46:42 Rachael Roberts, Family Rights Program

02:47:13 Jim Kembel, Montana Association of Chiefs of Police

Opponents:

02:47:44 Scott Crichton, American Civil Liberties Union (ACLU)

EXHIBIT(jus06a12)

Informational Testimony:

02:51:37 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

EXHIBIT(jus06a13)

02:53:13 Diana Koch, Department of Corrections (DOC)

Questions from Committee Members and Responses:

02:55:54 Sen. Wanzenried to Sen. Laible

02:59:01 Sen. McGee to Diana Koch, DOC

Closing by Sponsor:

03:03:52 Sen. Laible

EXECUTIVE ACTION ON SB 73

03:08:41 Sen. Laslovich

Discussion:

03:08:41 **Motion/Vote:** SEN. MCGEE moved that SB 73 DO PASS.
Motion carried unanimously by voice vote 12-0. SEN.
SHOCKLEY and SEN. WILLIAMS voted aye by proxy.

03:09:11 Sen. Laslovich

EXECUTIVE ACTION ON SB 27

03:12:08 Sen. Laslovich

03:12:41 **Motion:** SEN. MCGEE moved that SB 27 DO PASS.

Discussion:

EXHIBIT(jus06a14)

03:13:27 Motion: SEN. MCGEE moved that SB002701.ASB BE ADOPTED.

Discussion:

03:13:35 Sen. McGee

03:14:36 Sen. O'Neil

03:15:32 Sen. Moss to Sen. McGee and Sen. Essmann

03:15:53 Sen. Juneau to Sen. McGee

03:17:55 Sen. O'Neil

03:18:14 Motion: SEN. MCGEE CALLED THE QUESTION.

Vote: Carried 11-1 by voice vote. SEN.
WANZENRIED voting no. SEN. WILLIAMS and SEN. SHOCKLEY
voted aye by proxy.

03:19:01 Motion: SEN. MCGEE moved that SB 27 DO PASS AS
AMENDED.

Discussion:

03:22:11 Vote: Motion that SB 27 BE ADOPTED AS AMENDED carried
unanimously by voice vote. SEN. SHOCKLEY and
SEN. WILLIAMS voted aye by proxy.

ADJOURNMENT

Adjournment: 11:25 A.M.

SEN. JESSE LASLOVICH, Chairman

CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

EXHIBIT ([jus06aad.pdf](#))